

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JUAN VIANEZ,

Plaintiff,

v.

DISTRICT COURT FOR TACOMA,

Defendant.

NO: 13-CV-00315-JPH

ORDER ADOPTING REPORT AND
RECOMMENDATION AND
DISMISSING ACTION

BEFORE THE COURT is Plaintiff's "Objection to Documents." ECF No. 4.

which the Court liberally construes as Plaintiff's Objections to the Report and

Recommendation to dismiss this action filed September 3, 2013, ECF No. 3.

Plaintiff, however, presents no specific objections to the Report and

Recommendation: Rather Plaintiff indicates he wishes to increase his "demand"

to \$100,000.00.

ORDER ADOPTING REPORT AND RECOMMENDATION AND

1 Plaintiff did not pay the \$400.00 filing fee to commence this action and he
2 did not properly file an application to proceed without prepayment of the filing fee.
3 Based on his extensive litigation history, as set forth by the Magistrate Judge, ECF
4 No. 3, the Court finds that Plaintiff should be well acquainted with the
5 requirements for commencing a civil action. Furthermore, the only named
6 Defendant to this action is the District Court for Tacoma and none of Plaintiff's
7 claims arose in the Eastern District of Washington. Therefore, venue is not proper
8 in this District, 28 U.S.C. §§ 1391 and 1406.

9 Having reviewed the record and Plaintiff's Objections, **IT IS ORDERED**
10 the Report and Recommendation, ECF No. 3, is **ADOPTED in its entirety**. This
11 action is **DISMISSED without prejudice** to Plaintiff properly commencing it in
12 the appropriate jurisdiction.

13 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
14 Order, enter judgment, forward copies to Plaintiff at his last known address, and
15 close the file. The Court certifies any appeal of this dismissal would not be taken
16 in good faith.

17 **DATED** this 25th day of September 2013.

19 _____
20 *s/ Rosanna Malouf Peterson*
ROSANNA MALOUF PETERSON
Chief United States District Court Judge

ORDER ADOPTING REPORT AND RECOMMENDATION AND
DISMISSING ACTION --2